

~~Award No. 24-A/1970-71 Supplementary~~

17

NAME OF THE VILLAGE : 26-A/1971-72 Supplementary
 NATURE OF ACQUISITION : GHONDLI
 PURPOSE OF ACQUISITION : PERMANENT
 PLANNED DEVELOPMENT OF DELHI

...
 These are proceedings u/s 11 of L.A. Act, 1894 for determination of compensation in respect of land measuring 13 Biswas situated in village Ghondli. The land form part of general notification u/s 4 of L.A. Act issued by Delhi Administration vide No.F.15(245)/50-LSG/L&H dated 24.10.61 for 16000 acres scheme - and declaration u/s 6 of the Act issued vide No.F.4(19)/65-L&H(11) dated 2nd Jan., 1969 for 181 Bighas 18 Biswas. The land is required by the Govt. at the public expense for a public purpose namely for Planned Development of Delhi.

Notices u/s 9 & 10 of the Act were issued to the persons interested in the land under acquisition. Claims filed will be separately discussed in the heading 'Claims & Evidence'.

MEASUREMENT & TRUE AREA

Out of the area measuring 181-18 notified u/s 6 of the Act, an area measuring 6 Biswas was acquired through award No.26/1971-72. The present proceedings are confined to an area 13 Biswas only, which was found correct as such on measurement carried out by the field staff at the spot. The remaining area covered by the notification u/s 6 L.A. Act. will be acquired through a Supplementary Award.

The details of the land under acquisition are as under:

<u>Kh. No.</u>	<u>Area</u> Sq. Bis	<u>Kind of soil</u>
931/287/1/1	0-11	G.M. Abadi
931/287/2/1	<u>0.02</u> <u>0.13</u>	-do-
	2/-

OWNERSHIP & OCCUPANCY

Sr.No.	Name of Owner	Occupant	Kh. No.	Area	Kind of soil
1.	Banke Lal s/o Nanak Ram	Khushi Ram s/o Jitu Ram Parshotam s/o Sunder Lal, Brij Lal s/o Ram Gopal Ram Kumar s/o Banarsi Dass	931/287/ 1/1	0.11	G.M. Abadi
2.	Prem Narain s/o Mool Chand Parshotam Narain s/o Mool Chand, Indar Narain s/o Mool Chand, Smt. Bimla Devi d/o Mool Chand, Brij Beni s/o Mool Chand, Chhama Devi s/o Mool Chand all in equal shares.	Brij Lal s/o Ram Gopal Ram Kumar s/o Banarsi Dass,	931/287/2/1	0.02	-do-

CLAIMS & EVIDENCE

S.No.	Name of Claimant	Kh. No.	area	Amount Claimed	Evidence
1.	Smt. Simla Wati wd/o Khushi Ram	931/287/1/1	-	Rs. 1,50,000/- & 15% solatium	Nil
2.	Parshotam Dass s/o Sunder Lal	-do-	-	Rs. 2000/- for ^A levelling Rs. 200/- per sq.yd. for land 15% solatium	Nil
3.	Taken s/o Bahal	287/3	0.08	Rs. 40/- per sq.yd	Nil

MARKET VALUE

The market value of land under acquisition is to be determined with reference to the date of notification u/s 4 i.e. 24.10.1961. There are several awards for land in this village covered by notification dated 24.10.1961 u/s 4 but the most relevant award for consideration in the present case is award No. 26/1971-72 which has the same date of notification u/s 6 as the present one. In this way the present proceedings are supplementary to award No. 26/1971-72.

... .3/-

In award No. 26/1971-72 the Collector took into consideration out of innumerable sale transactions which have taken place during the period ending 1959 to 1961, the following sale transactions:

S.No.	Mutation No.	Date of Regn.	Kh. No.	area	amount	Average per Bigha
1.	1084	8.3.1960	1011/293, 294	0.04	1,000/-	5,000/-
2.	1085	26.2.1960	297/3	0.03	852/-	5,680/-
3.	1086	2.3.1960	297/7	0.10	3,000/-	6,000/-

The average rate of these transactions therefore works out to Rs.5,700/- per bigha. There is a gap of little more than $\frac{1}{2}$ years in between the date of registration of these transactions and the date of preliminary notification in the present case. Keeping in view the time lag the Collector fixed the market value of land at Rs.6,300/- per bigha as on 24.10.1961. The land under present acquisition is of the same kind as the land acquired in award No. 26/71-72. I, therefore, consider the rate of Rs.6,300/- per bigha as the market value of land in the present case and allow the same.

OTHER COMPENSATION

There are no tree or well on the land under acquisition.

STRUCTURES

There are some structures on the land ~~xxxxx~~ which appear to have come up after the date of preliminary notification. Since there is no entry in the revenue record to show their existence prior to the date of preliminary notification and no evidence has been filed to support the claim, no compensation is, therefore, assessed for them. The owners are directed to remove

the Malba within 15 days after the announcement of the award.

SOLATIUM

15% solatium will be paid over and above the market value of land towards compulsory acquisition.

INTEREST

The case is covered by the provisions of Land Acquisition (Amendment & validation) Act, 1967 as the notification u/s 6 was issued after the expiry of three years of the date of notification u/s 4. Interest is therefore payable on the market value of land w.e.f. 24.10.64 to 23.7.1974 when the award is likely to be announced.

ADJUSTMENT

Compensation will be paid according to the latest entries in the revenue record. In case of dispute which is not settled between the parties within a reasonable time the compensation will be sent to the Court u/s 30, 31 for adjudication of the title.

LAND REVENUE

The land under acquisition is assessed to 0.12 NP only as land revenue which would be deducted from the rent roll of the village from the date of possession.

SUMMARY OF THE AWARD

Market value of land measuring 0.13 Bis. at the rate of Rs. 6300/- per Bigha	4095.00
15% solatium on the market value	614.25
Interest on the market value at the rate of 6% p.a. w.e.f. 24.10.64 to 23.7.74 (9 years 272 days)	2394.40
TOTAL	<u>7103.65</u>

(Rupees Seven Thousand One Hundred Three & Paise Sixty Five only)

(A. B. SHUKLA)
LAND ACQUISITION COLLECTOR (M.A.)
DELHI